

PART XI

INCOME

<u>CHAPTER</u>	<u>SUBJECT</u>	<u>PAGES</u>
A.	INCOME ELIGIBILITY STANDARDS	1
B.	COUNTABLE INCOME	1-2
C.	EARNED INCOME	2-4
D.	SPECIAL INCOME OF MILITARY PERSONNEL	4-5
E.	UNEARNED INCOME	5-9
F.	EXCLUDED INCOME	9-20
G.	INCOME OF EXCLUDED HOUSEHOLD MEMBERS	21

10/05

VOLUME V, PART XI, PAGE 1

## A. INCOME ELIGIBILITY STANDARDS (7 CFR 273.9(a))

To be eligible for Food Stamp benefits, the countable gross monthly income of households shall not exceed the monthly income limits shown below in Chart #1. The gross income limits of Chart #1 do not apply to households with a member who is 60 years of age or over (including a member whose 60th birthday is in the month of application), or to households with a member who is disabled, as defined in [Definitions](#).

For the self-employed, the EW must first exclude the cost of doing business. For the student receiving educational benefits, the EW must first exclude allowable educational expenses as described in Part [XII.G](#).

All households, except those that are categorically eligible, must be determined eligible based only on net income (gross income less allowable deductions listed in [Part X.A](#)). The maximum net income limits are shown in Chart #2.

INCOME ELIGIBILITY LIMITS		
Household Size	CHART #1	CHART #2
	Gross Income Maximum	Net Income Maximum
1	\$ 1,037	\$ 798
2	1,390	1,070
3	1,744	1,341
4	2,097	1,613
5	2,450	1,885
6	2,803	2,156
7	3,156	2,428
8	3,509	2,700
Each additional member	+354	+272

Net income is the basis for the allotment for all households. While categorically eligible households, as defined in [Part II.H.3](#), do not have to meet either the gross or net income eligibility standards, the net income limits are used to determine entitlement to an allotment even for these households.

## B. COUNTABLE INCOME

Countable income is all household income, earned and unearned, from whatever source, excluding only that income specified in [Part XI.F](#).

Income received by one person for another person or for multiple beneficiaries is considered the income of the person receiving it, unless the provisions of [Part XI.G](#) (earned income of several members combined into one payment) are applicable. Evaluate any income exclusions, such as third party fund exclusion, according to [Part XI.F](#).

7/03

VOLUME V, PART XI, PAGE 2

When verification of income is required, the local agency must verify gross amounts, and the rate and frequency (i.e., weekly, semi-monthly, etc.) of the income the employee receives. For income received more often than monthly, verify the payment cycle, i.e., the day the employee receives the income.

C. EARNED INCOME (7 CFR 273.9(b)(1))

Earned income includes:

1. Wages and Salaries

All wages and salaries for services performed as an employee. This includes wages held by an employer at the employee's request and advances on wages as discussed in [Part XII.G](#). Gross wages are considered, regardless of the amount and nature of the deductions, unless any portion of the gross pay is considered excludable under [Part XI.F](#) or unless the gross amount reflects credit for employee benefits. In situations where benefits are reflected as credits and where the employee cannot elect to receive a cash payment, the amounts shown on the pay stub will not count as income. If an employee elects to have money withheld from the earnings to pay for employee benefits, that money must be counted as income.

If the employer still considers the individual as an employee, consider vacation pay and sick pay as earned income. Additionally, for sick pay, the employer must make the payment directly in order to consider the money as earned income; otherwise, it is unearned income.

If the individual has terminated employment, accumulated vacation pay and sick pay are considered earned income if received in more than one installment, and a lump sum resource if received in one installment. Laid-off employees are terminated employees for the purposes of this policy. If a laid-off employee opts not to withdraw vacation and/or sick pay, the value of such funds counts as an available resource.

Consider bonus pay as earned income.

Consider severance pay as unearned income.

2. Self-Employment Income

The gross income from a self-employment enterprise including the total gain from the sale of any capital goods or equipment related to the business, excluding the cost of doing business. (See [Part XII.A.](#))

Ownership of rental property is a self-employment enterprise; however, income derived from the rental property counts as earned income only if a household member actively manages the property for a minimum of 20 hours a week.

Payments from roomers and boarders counts as earned self-employment income.

3. Training Allowances and Work Investment Act

Training allowances from vocational and rehabilitative programs recognized by federal, State or local governments when they do not constitute a reimbursement. (See [Part XI.F.](#)) This includes, but is not limited, to vocational rehabilitation incentive payments.

Income received by individuals who are participating in on-the-job training programs funded through the Work Investment Act will be considered earned income. This provision includes on-the-job training programs funded under the National and Community Services Act, Americorps, the Summer Youth Employment and Training Program, and the Youthbuild Program. This provision, however, does not apply to household members under 19 years of age that are under the parental control of another household member, regardless of school attendance and/or enrollment as discussed in [Part XI.F.8.](#) See also [Part XI.F.11.d.](#)

4. Payments under Title I of the Domestic Volunteer Service Act of 1973

Payments under Title I (VISTA, University Year for Action, etc.) of the Domestic Volunteer Service Act of 1973 count as earned income unless they are excluded from consideration. See [Part XI.F.11.c.](#)

5. Payments to Day Care Providers

Payments to day care providers for meals served to children, other than their own, funded by the School Lunch Act will count as earned income to the provider. These payments do not count as reimbursement. See [Part XII.A.7](#) for allowable business costs.

6. Jury Duty Pay (PIRS 88-10)

Jury duty pay is countable earned income unless it meets the infrequent/irregular income or reimbursement policy of [Part XI.F.4](#) or [F.6.](#)

Use the following documents or records, generally available from the applicant, to verify the earned income of the household:

4/05

VOLUME V, PART XI, PAGE 4

Pay stubs	Pay envelopes
Employee's W-2 Form	Wage tax receipts
State or federal income tax return	Self-employment bookkeeping records
Sales and expenditure records	

Verification from other sources might include:

Employer's wage records	VEC Office
Statement from the employer	State Income Tax Bureau

D. SPECIAL INCOME OF MILITARY PERSONNEL (FNS Policy Memos 81-1, 81-5, and 81-13 and Admin Notice A-24-91)

Many members of the military receive special allowances that count in determining the eligibility and benefit amount of households containing such persons. Military personnel may receive the following allowances:

1. Basic Allowance for Housing (BAH)
2. Basic Allowance for Subsistence (BAS)
3. Clothing Maintenance Allowance (CMA)

These allowances will appear on the leave and earnings statement of military personnel. Evaluate the allowance as follows:

- a. BAH. This allowance provides uniformed service members with compensation for housing based on comparable civilian costs of housing. The BAH is based on civilian rental costs by pay grade, dependency status, and location. The household will receive one monthly payment. The housing allowance replaces the Basic Allowance for Quarters (BAQ) and the Variable Housing Allowance (VHA).

The BAH is considered as earned income for Food Stamp purposes. The household is also entitled to a shelter deduction. In some instances a person will receive a BAH and then have all or some of this amount deducted on the leave and earnings statement, because he or she lives on the base. Use the amount listed to compute the shelter deduction.

- b. BAS. With some exceptions, each member of a uniformed service who is entitled to basic pay is entitled to a BAS. An enlisted man is entitled to BAS, on a daily basis, when rations in kind are not available, when permission to eat separately has been granted, and when assigned to duty under emergency conditions where no eating facilities of the United States are available. An officer of a uniformed service who is entitled to basic pay is at all times entitled to BAS.

The BAS is paid in cash, on a daily basis, or by check, three months in advance, and is not considered a part of the wages. The BAS will appear on the leave and earnings statement monthly. The BAS is considered as earned income for Food Stamp Program purposes.

- c. CMA. Generally, enlisted personnel receive uniforms upon acceptance into the armed services and regular allowances to replace worn out uniforms. Officers receive both an initial allowance and additional allowances depending on years in service. The CMA is paid in the personnel's regular check but is shown separately on the leave and earnings statement.

For Food Stamp Program purposes, the CMA is excluded as a reimbursement for the job-related expense of uniforms under [Part XI.F.6](#).

**Any amount received by or made available to household members for deployment or service in a combat zone will not count as income for Food Stamp Program purposes unless the payment was received before the deployment. This exclusion includes items such as, but not limited to, incentive pay for hazardous duty, special pay for imminent duty or hostile fire duty or certain reenlistment bonuses, or special pay for certain occupational or educational skills.**

E. UNEARNED INCOME (7 CFR 273.9(b)(2))

Unearned income includes:

1. Assistance Payments

Assistance payments from federal, federally aided, or State-local public assistance programs, based on need. Examples are:

- a. Temporary Assistance to Needy Families (TANF)  
This includes payments made under the TANF block grant to supplement recipients for child support received by the Division of Child Support Enforcement on the household's behalf.
- b. General Relief (GR)
- c. Supplemental Security Income (SSI)

Income from these assistance programs will count as unearned income even if provided in the form of a vendor payment, unless the provisions of [Part XI.F.3](#) apply that prohibit considering certain vendor payments as countable income.

Assistance payments from programs that require the actual performance of work without compensation, other than the assistance payments themselves, count as unearned income.

2. Annuities and Pensions

Annuities and pensions, such as:

- a. Retirement benefits
- b. Veteran's benefits
- c. Disability benefits
- d. Old age, survivors, and Social Security benefits (OASDI)

3. Workmen's or Unemployment Compensation

4. Strike Benefits

5. Foster Care Payments

Foster care payments made to a household on behalf of a legally assigned foster child. Note: Foster care payments will be considered the income of the foster family if the household elects to count the foster child as a household member for food stamp purposes. Therefore, if the foster person is excluded from the household under the provisions of [Part VI.A.3.](#), the payment is not considered income to the rest of the household.

6. Certain Rental Property Income

Income derived from rental property in which a household member is not actively engaged in the management of the property at least an average of 20 hours a week. Except for the fact that the earned income deduction ([Part XIII.A.2](#)) does not apply, treat this income the same as a self-employment enterprise. (See [Part XII.A.](#))

7. Support and Alimony Payments

Support and alimony payments made directly to the household from a nonhousehold member. This includes payments redirected to the household from the Division of Child Support Enforcement (DCSE). Payments received by or for TANF recipients that the household should send to the Division of Child Support as a condition of TANF eligibility will not count even if the household fails to redirect the payments. Payments received through the TANF Program to supplement recipients for support payments received on their behalf will count as TANF income instead of support payments. See [Part XI.E.1.a.](#)

7/03

VOLUME V, PART XI, PAGE 7

8. Dividends, Royalties and Interest

Payments received in the form of dividends or royalties are countable. **Interest payments will count as income if the amount averages more than \$10.00 per month.**

9. Money Withdrawn from Trust Funds or Improper IDA Withdrawals

Money withdrawn or dividends that are or that the household could receive from trust funds do not count as a resource under [Part IX.E.12](#). Trust withdrawals will count as income in the month received unless they are otherwise exempt. Dividends that the household has the option of either receiving as income or reinvesting in the trust will count as income in the month they become available to the household unless otherwise exempt.

**Withdrawals from an individual development account (IDA) will not count as income if the withdrawal is for pursuing post-secondary education, purchasing a home, starting a business or as an approved household emergency. All other withdrawals from the IDA will count as unearned income in the month of the withdrawal.**

10. Income Available to Sponsored Aliens (7 CFR 273.9(b)(4); 7 CFR 273.11(h)(2)(iv))

For households that contain sponsored aliens (as defined in [Part XII.C.](#)), unearned income will also include that amount of the monthly income of an alien's sponsor and the sponsor's spouse (if living with the sponsor) deemed to be that of the alien according to the procedures in [Part XII.C.3.](#) and 5. Income deeming applies unless the sponsored alien is otherwise exempt from this provision as allowed in [Part XII.C.1.](#)

Actual money paid to the alien by the sponsor or the sponsor's spouse does not count as income to the alien unless the amount paid exceeds the amount attributed to the sponsor. See [Part XII.C.4.](#) The amount paid that exceeds the amount attributed will count as income to the alien in addition to the amount attributed to the alien.

11. Funds Deposited into Joint Accounts

Funds deposited into a joint bank account by a nonhousehold member, when a household member's name is also on the account count as income to the household, to the extent the deposited funds are intended for household use.

The EW must be sure to use this policy only when deposited funds are intended for household use. For example, a husband in the military



overseas has his allotment deposited directly into a joint account with his wife who receives food stamps and the money is intended for his wife's use.

In situations where a food stamp household member's name is on a joint account with a nonhousehold member and the funds deposited by the nonhousehold member are clearly not intended for the household member's use, no income to the household will be counted. The account balance will be evaluated as a resource to the household according to policy described in [Part IX.C.1](#).

The EW must verify the household member's statement concerning the amount of money available as income. If all the money deposited into the joint account is intended for the household's use, then verification of the amount deposited would suffice. When this is not the case however, it will be necessary to verify the amount through the nonhousehold member.

When a nonhousehold member's savings are used by the household to repay a loan for the nonhousehold member it would not be considered as income to the household. This policy will also apply to repayment of car loans in which the nonhousehold member is the sole owner.

If the statements of the household and nonhousehold member differ regarding the amount of money intended for the household's use, the EW must resolve the discrepancy and document the case record.

**12. Severance Pay**

Severance pay, an allowance usually based on length of service which is payable to an employee upon termination of employment, will count as unearned income. The EW must take care to distinguish severance pay from the last regular paycheck(s) a person may be entitled to receive. Any regular paychecks count as earned income.

**13. Other Money Payments**

All other direct money payments from any source which can be construed to be a gain or benefit to the food stamp household, other than monetary gifts for an identifiable one time occasion or normal annual occasion.

In verifying unearned income of the household, the following documents or records are generally available through the applicant:

RSDI award letter (note that changes in benefits will not always be reflected)	Benefit payment check
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7/03

VOLUME V, PART XI, PAGE 9

Unemployment Compensation award letter	Pension award notice
Veterans Administration award notice	Correspondence on benefits
Income tax records	Railroad Retirement award letter
Support and alimony payments evidenced by court order, divorce or separation papers, contribution check	

Verification from other sources might include:

Social Security (Form SSA-1610)	Social Security District Office files
VEC - Unemployment Compensation Section	Employer's record
Union records	Workers Compensation records
Veterans Administration	Insurance company records
Tax records	Railroad Retirement Board records
PA case file	

F. EXCLUDED INCOME (7 CFR 273.9(b)(5); 273.9(c))

The following income will not count in determining eligibility or benefit level:

1. Repayment of a Prior Overpayment

Repayment of a prior overpayment provided that the income was not excludable elsewhere in this chapter at the time of the overpayment. This includes:

- a. Money withheld from an assistance payment, from earned income, or from any other income source to repay a prior overpayment received from that income source.
- b. Money received from any income sources that the household voluntarily or involuntarily returns to repay a prior overpayment received from that income source.

Example

A TANF recipient is entitled to a grant of \$225.00 but the amount of the actual payment is \$175.00. The agency withheld \$50.00 to repay a prior overpayment. The overpayment was not the result of the household's failure to comply with the TANF program requirements. The net amount received by

the TANF recipient is the amount that will count as income for food stamp purposes.

However, money withheld from assistance from another program that results from the household's failure to comply with the requirements of the other program will count as income, as specified in [Part XII.D](#).

2. Payments Received by the Division of Child Support Enforcement (DCSE)

Payments received and kept by the DCSE on behalf of TANF recipients will not count as income. Payments redirected to households by the DCSE **or supplemented through the TANF Program will count as** income. Payments received by TANF recipients that the recipient must direct to Division of Child Support, as a condition of TANF eligibility, will not count as income even if the household keeps the payments.

3. In-Kind Benefits and Vendor Payments

In-kind benefits and vendor payments are any gains or benefits that are not in the form of money payable directly to the household.

a. In-Kind Benefits

In-kind benefits are benefits for which no monetary payment occurs on behalf of the household. These benefits include meals, clothing, housing or produce from a garden.

b. Vendor Payments

A vendor payment is a money payment made on behalf of a household by a person or organization outside of the household to a service provider or creditor of the household. Vendor payments made to a third party on behalf of the household are included or excluded as income as described below:

1. PA vendor payments, excluding GR vendor payments

Vendor payments from PA programs, other than GR, are excluded as income if they are made for:

- a. Medical assistance
- b. Child care assistance
- c. Energy assistance
- d. Emergency assistance

7/03

VOLUME V, PART XI, PAGE 11

- e. Special and emergency assistance, not specifically excluded by other provisions of this section, made over and above the normal grant.
- f. Emergency TANF vendor payments on behalf of a migrant or seasonal farm worker household while the household is in the job stream.

2. GR Vendor Payments

Except for some vendor payments for housing, GR vendor payments do not count as income. A housing vendor payment will count as income unless the payment is for:

- a. Utility costs
- b. Energy assistance
- c. Housing assistance from a state or local housing authority
- d. Special and emergency assistance, not specifically excluded by other provisions of this section, made over and above the normal grant.
- e. Emergency GR vendor payments on behalf of a migrant or seasonal farm worker household while the household is in the job stream.

3. HUD Vendor Payments

Rent or mortgage payments made by the Department of Housing and Urban Development (HUD) to landlords or mortgagees are excluded. This includes TANF payments for housing made through HUD.

4. Educational Assistance Vendor Payments

Educational assistance paid on behalf of households for living expenses are excluded.

5. Vendor Payments that are Reimbursements

Vendor payments that are also in the form of reimbursements are excluded.

6. Demonstration Project Payments

In-kind or vendor payments that would normally not count

as income but which are converted, in whole or in part, to a direct cash payment under a federally authorized demonstration project or a waiver of federal law provisions are excluded.

7. Other Third-Party Payments

Money which is legally obligated and otherwise payable to the household shall be counted as income and not excluded as vendor payments when they are diverted to a third party by the provider of the payment for a household expense. Court-ordered support or alimony payments and wages are examples of payments that will count as income regardless of diverted payments to third parties.

4. Infrequent or Irregular Income

Any income in the certification period which is received too infrequently or irregularly to be reasonably anticipated, but which is not more than \$30 in a calendar quarter. This may include interest payments on bank accounts or other financial instruments as long as the average monthly payment is less than \$10.00 per month.

5. Loans

All loans. The loan may be from a private individual as well as from a commercial institution. When verifying that income is exempt as a loan, a legally binding agreement is not required. A simple statement signed by both parties that indicates that the payment is a loan and that the household must repay the loan will be sufficient verification. If the household receives payments on a recurrent or regular basis, however, from the same source, but claims the payments are loans, the local agency may also require that the provider of the loan sign an affidavit which states that repayments are being made or that payments will be made in accordance with an established repayment schedule.

6. Reimbursements

Reimbursement on past or future expenses, to the extent that:

- a. They do not exceed actual expenses.
- b. They do not represent a gain or benefit to the household.

Reimbursements for normal household living expenses, such as rent or mortgage, personal clothing, or food eaten at home are a gain or benefit, and, therefore, **are not excluded**. To exclude this

7/03

VOLUME V, PART XI, PAGE 13

money, these payments must be for an identified expense, other than normal living expenses, and the recipient must use the money for the purpose intended.

When a reimbursement covers multiple expenses, including a flat allowance, it is not necessary to identify each expense separately as long as none of the reimbursement covers normal living expenses.

The amount by which a reimbursement exceeds the actual incurred expense will count as income. It is not necessary to consider whether reimbursements exceed actual expenses unless the provider or the household indicates the amount is excessive. This applies to anticipated expenses as well as past expenses for which reimbursement covers.

Jury duty pay may count as a reimbursement if it meets the criteria of this section.

Examples of reimbursements that do not represent a gain or benefit to the household are:

- a. Reimbursement or flat allowances for job or training related expenses, such as:
  - 1) Travel
  - 2) Per diem
  - 3) Uniforms
  - 4) Transportation to and from the job or training site, including reimbursements for the travel expenses incurred by migrant workers.
- b. Reimbursements for out-of-pocket expenses of volunteers incurred in the course of their work.
- c. Medical reimbursements.
- d. Dependent care reimbursements.
- e. Reimbursements received by households to pay for services provided by Title XX of the Social Security Act.

7. Third Party Funds

Monies received and used for the care and maintenance of a third-party beneficiary who is not a household member. If the intended beneficiaries of a single payment are both household and nonhousehold

members, any identifiable portion of the payment intended and used for the care and maintenance of the nonhousehold member will not count. If the nonhousehold member's portion cannot be readily identified, the payment shall be evenly prorated among intended beneficiaries and the exclusion applied to the nonhousehold member's prorata share or the amount actually used for the nonhousehold member's care and maintenance, whichever is less. The term nonhousehold member refers both to persons residing with the food stamp household but considered nonhousehold members according to the provisions of [Part VI.C](#) and persons who do not reside with the food stamp household.

Examples

- a. Ms. X is payee for Social Security benefits for two children who do not live with her. The check totals \$200. Ms. X gives the children's guardian \$100. In addition, she deposits \$25 in a savings account for the children and spends the remaining \$75 on items for the children.

Ms. X has no income assigned from this source. The EW must count \$200 to the children's household. If Ms. X could not account for any portion of the \$200, that portion would count as income to her.

- b. Ms. Y receives child support for her two children. One child does not live with her. The father sends \$200 (\$100 prorated for each child). Ms. Y sends \$150 to the child who is not in her home.

The income for Ms. Y's household is \$100. The second child's income is \$150 (\$100 child support and \$50 contribution from the mother).

- c. Ms. Z and her four children receive a TANF check of \$300. The oldest child is in Job Corps in another city, so the food stamp unit excludes this child. Ms. Z sends the child \$50 a month from the TANF check to cover his living expenses.

The child's prorated share of the TANF check is \$300 divided by 5 = \$60. The mother actually sends \$50. The lesser amount, \$50, is excluded income in the food stamp calculation.

- d. A food stamp household requests the inclusion of children who reside elsewhere part of the month. The nonparticipating household receives income on behalf of the children and uses

7/03

VOLUME V, PART XI, PAGE 15

that income to pay household and the children's personal expenses. The nonparticipating household does not share any of the income with the food stamp household.

Since the payee uses all the income on behalf of the members with dual household membership, the income must follow the members and count toward any household that claims them as members for food stamp purposes.

8. Earnings of Children

The earned income of children who are under age 18 and who attend elementary or high school, or who attend GED classes that are operated, supervised, or recognized by the local school board. This exclusion also applies to participants of elementary or high school level home-school programs that are approved by the local school superintendent as meeting the state's home-school law. The children must also be:

- a. Certified with a natural, adoptive or step-parent, or
- b. Under the control of a household member other than a parent, as defined in [Part VI.A.2.b.](#)

This exclusion will continue to apply during temporary interruptions in school attendance due to semester or vacation breaks, provided the child's enrollment will resume following the break. If the child's earnings or amount of work performed cannot be differentiated from that of other household members, the total earnings must be divided equally among the working members and the child's prorata share excluded.

This exclusion will end the month following the month in which the child turns 18.

9. Lump Sum Payments

Monies received in the form of a nonrecurring lump sum payment, including but not limited to:

- a. Income tax refunds, rebates or credits;
- b. Retroactive lump sum Social Security, public assistance, Railroad Retirement benefits or other payments;
- c. Lump sum insurance settlements;
- d. Refunds of security deposits on rental property or utilities.
- e. Accumulated vacation pay or sick pay of terminated employees received in a lump sum;



7/03

VOLUME V, PART XI, PAGE 16

- f. Gambling winnings;
- g. Monetary gifts for identifiable one time occasions or normal annual occasions; and,
- h. Retroactive SSI payments even when received in multiple installments.

These payments will count as resources in the month received unless specifically excluded from consideration as a resource by other federal laws. The fact that the household or agency can anticipate a lump sum payment does not affect the exclusion as income.

Irregular unemployment compensation benefits will not count as lump sum payments although they may include amounts intended to cover prior periods.

**Irregular support payments generally will not count as lump sum payments.** The \$50 TANF disregarded support payment received for a prior period **and support payments made through one-time payments such as the withholding of federal or state tax refunds** will count as a lump sum resource however. The disregarded incentive support payment will be for a prior period if the entitlement date is two or more months prior to the check date. **This exclusion does not include the TANF monthly supplement payment received for the prior month.**

10. Self-Employment Expenses

The cost of producing self-employment income. The procedures for computing the cost of producing self-employment income are described in [Part XII.A.5](#) and [9](#).

11. Exclusion by Law

Income specifically excluded by federal law from consideration as income in determining Food Stamp eligibility or benefits. This includes:

- a. Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P.L. 91-646, Section 216).
- b. All compensation received under the Alaska Native Claims Settlement Act and amendments (P.L. 92-203 and 100-241).
- c. Payments to volunteers under programs covered by the Domestic Volunteer Services Act of 1973 as amended (P.L. 93-113). This includes:

7/04

VOLUME V, PART XI, PAGE 17

- Title I - Payments to VISTA volunteers and participants of the University Year for Action and Urban Crime Prevention Program if the volunteers were receiving food stamps or public assistance when they joined the Title I program. This also includes payments to VISTA volunteers if the payment is less than the federal minimum wage.
  - Title II - This includes the Retired Senior Volunteer Program, Foster Grandparents, and the Senior Companion Program.
- d. Payments from programs funded in whole or in part under the Workforce Investment Act (WIA), except for on-the-job training programs funded through the WIA. Payments from on-the-job training programs under this section are considered countable earned income, except for persons under 19 who are under parental control of a household member. For such individuals, the on-the-job WIA payments are excluded.

This exclusion includes projects conducted under the National and Community Services Act, Americorps, and the Summer Youth Employment and Training Program, as if the projects were conducted under the WIA. Payments made under the Youthbuild Program through the Housing and Community Development Act must also be treated like WIA payments (P.L. 97-300, 99-198, 101-610, 102-367, 102-550).

- e. Payments from the Community Service Employment Program under Title V of the Older Americans Act (P.L. 100-175). Some organizations that receive Title V funds are:
- **Experience Works (formerly Green Thumb)**
  - National Council on Aging
  - National Council on Black Aging
  - American Association of Retired Persons
  - U.S. Forest Service
  - National Association for Spanish Speaking Elderly
  - National Urban League
  - National Council of Senior Citizens
- f. Payments from private nonprofit charitable organizations, not in excess of \$300 per fiscal quarter, which are not already

7/03

VOLUME V, PART XI, PAGE 18

excluded as a lump sum resource. Any amount over the \$300 limit is counted as unearned income (P.L. 100-232).

- g. Payments under the Wartime Relocation of Civilians Act to certain U.S. citizens of Japanese ancestry and resident Japanese aliens and certain Aleuts (P.L. 100-383).
- h. Payments from the Agent Orange Settlement Fund or any other fund established for settlement of Agent Orange product liability litigation (P.L. 101-201 and P.L. 101-239.)

Payments to veterans with service-connected disabilities resulting from Agent Orange exposure are countable (P.L. 102-4).

- i. Payments under the Disaster Relief Act of 1974, as amended, and the Disaster Relief and Emergency Assistance amendments of 1988. The disaster or emergency must be a presidentially-declared disaster. The exclusion applies to federal payments and comparable disaster assistance provided by States, local governments and disaster assistance organizations (P.L. 100-707).

Most Federal Emergency Management Assistance (FEMA) funds are excluded, but payments made when there is no declared disaster or emergency, such as rent assistance for the homeless household, are not excluded.

- j. The value of any child care provided, arranged, or reimbursed under the Social Security Act through the block grant child care program (Section 6585, P.L. 102-586, as amended).
- k. Earned income tax credits (P.L. 101-508).
- l. Salary reductions for military personnel which are used to fund the GI bill (P.L. 99-576).
- m. The following payments to Indian tribes:
  - Income from certain submarginal land of the U.S. which is held in trust for certain Indian tribes (P.L. 94-114, Section 6).
  - Income from the disposition of funds to the Grand River Band of Ottawa Indians (P.L. 94-540).
  - Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation and the Apache Tribe of the Mescalero Reservation (P.L. 95-433, Section 2).

TRANSMITTAL #56

7/03

VOLUME V, PART XI, PAGE 19

- Payments from the Maine Indian Claims Settlement Act of 1980 to the Passamaquoddy Tribe, the Penobscot Nation, and the Houlton Band of Maliseet (P.L. 96-420, Section 9c).
  - Payments of relocation assistance to members of the Navajo and Hopi Tribes (P.L. 93-531, Section 22).
  - Per capita payments of up to \$2,000 per calendar year under the Indian Judgment Fund Act as amended (P.L. 93-134 and 97-458).
  - Payments to the Chippewa Tribes: Turtle Mountain, Red Lake, Mississippi, Lake Superior, Saginaw, or White Earth (P.L. 97-403, 98-123, 99-146, 99-264, 99-346, and 99-377).
  - Payments to the Blackfeet, Grosventre, and Papago Tribes (P.L. 97-408).
  - Payments to the Assiniboiné Tribes (P.L. 98-124, Section 5 and 97-408).
  - Payments to the Seneca Nation (P.L. 101-503).
  - Payments to the Puyallup Tribe (P.L. 101-41).
  - Payments to the Sac and Fox Tribes (P.L. 94-189).
  - Payments, except for per capita payments over \$2000, to the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Miccosukee Tribe of Florida, and the independent Seminole Tribe of Florida (P.L. 101-277).
  - Payments made under the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (P.L. 103-436).
- n. Payments under the Radiation Exposure Compensation Act (P.L. 101-426).
- o. Contributions of an SSI recipient into a Plan for Achieving Self Support (PASS) account (PL 102-237).
- p. Payments for meals for children or adults on whose behalf the payment is made through the Child and Adult Care Food Program, Section 12(a) of the School Lunch Act.

7/03

VOLUME V, PART XI, PAGE 20

- q. Payments to individuals because of their status as victims of Nazi persecution (P.L. 103-286).
- r. Payments through the Department of Veteran Affairs to children of Vietnam veterans who are born with spina bifida (P.L. 104-204).

12. Government Subsidies for Housing and Energy/Utility Payments

Payments or allowances made for **housing, energy assistance or utility payments** under any federal, **state or local government program** will not count. This includes payments received from the Low-Income Home Energy Assistance Program (Virginia Fuel Assistance Program), HUD and FmHA utility payments.

13. Shared Shelter Arrangements

In some situations, food stamp households may share shelter expenses with other food stamp units or other nonrecipients. Money may exchange hands between the units to facilitate bill paying. This exchange of money for the purposes of bill paying in a shared shelter arrangement is not considered income to the person receiving it. Each food stamp unit is entitled to its share of the shelter expenses on its worksheet.

Note: This policy does not replace the roomer/boarder and rental property situations.

14. Funds Deposited in an Individual Development Account (IDA) or HUD Escrow Account

Money deposited in an IDA on behalf of a household member will not count as income as well as money deposited in an escrow account established by HUD.

15. VIEW Support Services Payment

Payments made directly or indirectly to household members for supportive services through VIEW will not count as income.

16. Educational Benefits

Money received for educational purposes.

G. INCOME OF EXCLUDED HOUSEHOLD MEMBERS (7 CFR 273.9(b)(3); 273.11(d))

Individual household members may be disqualified from participation in the Food Stamp Program, or may be ineligible to participate. See Part VI.C for a discussion of nonhousehold members.

The earned or unearned income of a disqualified household member is to be handled in accordance with [Part XII.E](#). All or part of the income of the disqualified person must be counted to the remaining members.

For excluded household members who are ineligible rather than disqualified, such as ineligible students, the income of the ineligible member is not considered available to the household. Any cash payments from the ineligible member to the household must be considered income under the normal income standards described in this manual. If the household shares deductible expenses with the ineligible member, only the amount actually paid or contributed by the eligible members is allowed as an expense. If these payments or contributions cannot be differentiated, the expenses must be prorated evenly among the persons actually paying or contributing to the expense and only the eligible members' pro rata share deducted.

When the earned income of one or more household members and the earned income of an ineligible member are combined into one wage, the income of the household members must be determined as follows: If the household's share can be identified, count that portion due to the household as earned income. If the household's share is not identifiable, prorate the earned income among those it was intended to cover and count the prorated portion to the household.